

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

United States of America,

Plaintiff,

v.

Daniel David Rigmaiden,

Defendant.

CR-08-0814-001-PHX-DGC
PRELIMINARY ORDER OF
FORFEITURE

As the result of the defendant's guilty plea to Count 1 of the Superseding Indictment, Conspiracy, a violation of 18 U.S.C. § 371, a Class D felony offense; Counts 33 and 36 of the Superseding Indictment, Wire Fraud, violations of 18 U.S.C. § 1343, Class C felony offenses; and Count 74 of the Superseding Indictment, Mail Fraud, a violation of 18 U.S.C. § 1341, a Class C felony offense, and, the defendant having admitted to the forfeiture allegations contained in the Superseding Indictment and agreed to forfeit and abandon to the United States, all right, title and interest in the property involved in the violations of the statutes set forth above including but not limited to:

| Property Description | Value |
|---|-----------|
| MSR206 Magnetic Strip Card Reader/Writer | \$ 250.00 |
| Craft External Hard Drive Enclosure | \$ 50.00 |
| Cool Gear External HDD Model TBM120 | \$ 100.00 |
| Acer Laptop Aspire 3624WXC S/N #LXAA6050876090F641KS00 | \$ 300.00 |
| Keyboard | \$ 5.00 |
| Epson Stylus Photo R1900 S/N #KBQE004967 | \$ 400.00 |
| Epson Perfection V750 ProScanner S/N #G77W001673 | \$ 650.00 |
| One (1) Alps printer MD-1000 S/N #B28C0948H; one (1)TAHSIN-HIC-HOP Laminator Model TCC-160 S/N #8800707 | \$ 250.00 |
| Epson Stylus Photo 960 S/N #EPVY024944 Printer | \$ 200.00 |

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| 1 | Sony CyberShot Camera, 2 GB memory card, cords & battery charger | \$ 200.00 |
| 2 | SecuMate Security Recorder, Wireless Camera Hunter, RF Signal | |
| 3 | Detector, VCD-43 Signal Detector, Parascopes viewer, wireless video | \$ 1,810.00 |
| 4 | receiver, light wave detector-"Spy Finder", pocket scope, chipboard & | |
| 5 | covert video camera, and covert camera & microphone kit | |
| 6 | EVIDENCE: U.S. Mint Container "Green" with 25 Containers of 20 | \$ 8,685.00 |
| 7 | Silver Dollars each (500 total coins) | |
| 8 | EVIDENCE: One (1) Green U.S. Mint Container with 88 Large Silver | |
| 9 | Colored Coins, 139 Large Gold Colored Coins, 29 Small Gold Colored | \$130,054.49 |
| 10 | Coins | |
| 11 | EVIDENCE: Eleven (11) small, four (4) large Assorted Gold Eagle | \$ 4,619.33 |
| 12 | Coins | |
| 13 | U.S. Currency - \$46,340.00 | \$ 46,340.00 |
| 14 | U.S. Currency - Bancorp Bank Treasurer Check No. 43033, dated | |
| 15 | 8/27/2008, for \$19,298.90 -- Proceeds from entire monetary balance of | \$ 19,298.90 |
| 16 | the prepaid cards at The Bancorp Bank (Wilmington, DE) | |
| 17 | U.S. Currency - \$70,000.00 | \$ 70,000.00 |
| 18 | EVIDENCE: One Hundred (100) 1/10-oz. gold coins and seventy-three | \$ 75,177.25 |
| 19 | (73) 1-oz. gold coins | |
| 20 | Coolgear External HDD Model SCS12B | \$ 80.00 |
| 21 | U.S. Currency -- Wells Fargo Bank, NA Check No. 68447, dated 9/4/08, | |
| 22 | for \$4,249.12 -- Proceeds from entire monetary balance of the prepaid | \$ 4,249.12 |
| 23 | cards at GE Money Bank (Kettering, OH) | |
| 24 | U.S. Currency -- Silicon Valley Bank Check No. 142381, dated 9/5/08, | |
| 25 | for \$303.96 -- Proceeds from entire monetary balance of the prepaid | \$ 303.96 |
| 26 | cards at Netspend Corporation (Austin, TX) | |
| 27 | U.S. Currency -- MetaBank Check No. 30095792, dated 9/5/08, for | |
| 28 | \$28,543.79 -- Proceeds from entire monetary balance of the prepaid | \$ 28,543.79 |
| | cards at MetaBank (Sioux Falls, SD) | |
| | U.S. Currency -- Zions Bank Check No. 61-131596032, dated 09/12/08, | |
| | for \$44,079.21 -- Proceeds from the entire monetary balance of the | \$ 44,079.21 |
| | prepaid cards at Galileo Processing (Salt Lake City, UT). | |
| | Various ATM Withdrawals totalling \$17,100.00 (Salt Lake City, UT) - | |
| | from April to June, 2008 | \$ 17,100.00 |
| | Subtotal | \$452,746.04 |
| | Four (4) oz. of Gold (@ \$869.75 per oz. as of 12/30/08 - Kitco.com) | \$ 3,479.00 |
| | Voice recorder | \$ 534.00 |
| | U.S. Currency -- Cathay Bank Check No. 27359, dated 1/21/2009, for | |
| | \$61,692.62 | \$ 61,692.62 |
| | U.S. Currency -- US Bank Check No. 5120500568, dated 3/19/2009, for | |
| | \$22,322.91 | \$ 22,322.91 |

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| TOTAL VALUE | \$540,774.57 |
| Value of Precious Coins Set Forth Below | Silver |
| 4 Aug 08 - Value/Pricing per Kitco | \$ 17.37 |
| | Gold |
| 4 Aug 08 - Value/Pricing per Kitco | 905.75 |
| 30 Dec 08 - Value/Pricing per Kitco | 869.75 |
| 1 oz. (500) Silver Coins * \$17.37/each | \$ 8,685.00 |
| 1 oz. (88) Silver Coins *17.37 | \$ 1,528.56 |
| 1 oz. (139) Gold Coins * 905.75 | \$125,899.25 |
| 1/10 oz. (29) Gold Coins * 905.75 | <u>\$ 2,626.68</u> |
| | \$130,054.49 |
| 1/10 oz. (11) Gold Coins * 905.75 | \$ 996.33 |
| 1 oz. (4) Gold Coins * 905.75 | <u>\$ 3,623.00</u> |
| | \$ 4,619.33 |
| 1/10 oz. (100) * 905.75 | 9,057.50 |
| 1 oz. (73) * 905.75 | <u>66,119.75</u> |
| | \$ 75,177.25 |
| 1 oz. (4) Gold Coins * 869.75 | <u>\$ 3,479.00</u> |

collectively referred to as “subject property”,

The Court has determined that the subject property described above is subject to forfeiture pursuant to 21 U.S.C. § 853, and 18 U.S.C. 982, and that the Government has established the requisite nexus between such property and the offenses to which the defendant pled guilty. The Court finds that, based on the defendant’s guilty plea, he has forfeited all right title and interest he may have in the above listed property.

Upon the entry of this Order, the United States is authorized to seize the subject property listed above and to conduct any discovery proper in identifying, locating or

1 disposing of the property subject to forfeiture, in accordance with Fed. R. Crim. P.
2 32.2(b)(3). Upon entry of this Order, the United States Attorney General (or his designee)
3 is authorized to commence any applicable proceeding to comply with statutes governing
4 third party rights, including giving notice of this Order.

5 Any person, other than the above-named defendant, asserting a legal interest in the
6 subject property may, within thirty days of the final publication of notice or receipt of
7 notice, whichever is earlier, petition the court for a hearing without a jury to adjudicate the
8 validity of any alleged interest in the subject property, and for an amendment of the order
9 of forfeiture, pursuant to 21 U.S.C. § 853(n).

10 Pursuant to Fed. R. Crim. P. 32.2(b)(3), this Preliminary Order of Forfeiture shall
11 become final as to the defendant at the defendant's sentencing and shall be included in the
12 sentence and judgment. If no third party files a timely claim, this Order shall become the
13 Final Order of Forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2).

14 Any petition filed by a third party asserting an interest in the subject property shall
15 be signed by the petitioner under penalty of perjury and shall set forth the nature and
16 extent of the petitioner's right, title, or interest in the subject property, the time and
17 circumstances of the petitioner's acquisition of the right, title or interest in the subject
18 property, and any additional facts supporting the petitioner's claim and the relief sought
19 and serve a copy upon James R. Knapp, Assistant United States Attorney.

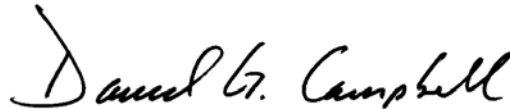
20 After the disposition of any motion filed pursuant to Fed. R. Crim. P. 32.2(c)(1)(A)
21 and before a hearing on the petition, discovery may be conducted in accordance with the
22 Federal Rules of Civil Procedure upon a showing that such discovery is necessary or
23 desirable to resolve factual issues.

24 The United States shall have clear title to the subject property following the Court's
25 disposition of all third-party interests, or, if none, following the expiration of the period
26 provided in 21 U.S.C. § 853(n)(2), for the filing of third party petitions.

1 The Court shall retain jurisdiction to enforce this Order, and to amend it as
2 necessary, pursuant to Fed. R. Crim. P. 32.2(e).

3 SO ORDERED:

4 Dated this 7th day of April, 2014.

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 David G. Campbell
 United States District Judge
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